

Application No.: 10/776,619

Amendment dated: May 15, 2006

Reply to Restriction Requirement dated: April 13, 2006

REMARKS/ARGUMENTS

In the Restriction Requirement dated April 13, 2006, the Examiner asks the Applicant to elect a group of the claims as the inventions are distinct, each from the other. Applicants have elected with traverse claims 7-9 and 17-19 (Group II). If the Examiner maintains his restriction requirement, claims 1-6 (Group I) and 10-16 (Group III) are withdrawn from consideration, and Applicant reserves the right to file divisional application(s) on the claims of these Groups.

The MPEP requires that there be a showing of a serious burden to restrict an application. The MPEP also states that "[i]f the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions." MPEP §803.

The pending claims, subject to continued prosecution as a result of the filing of a Request for Continued Examination (RCE), have been prosecuted since February 2004. During the more than two years of prosecution of this application, the Examiner was able to search for and reject the claims in the course of two office actions and a personal interview. Examination of these claims appeared to pose no burden for the Examiner during this lengthy period of time. To suggest that a restriction now is required on the basis of a serious burden is odd. There are no new or changed circumstances with regards to the examination of the claims such that a serious burden now arises which did not previously exist during the earlier examination of the claims. Accordingly, the restriction requirement should be withdrawn.

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Request for Allowance

It is believed that this Amendment places the application in condition for allowance, and early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

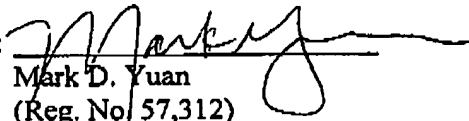
The Office is hereby authorized to charge any fees, or credit any overpayments, to Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON LLP

Dated: May 15, 2006

By:


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